

REMARKS

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Initially, Applicants filed an Information Disclosure Statement on April 16, 2007, after the mail date of the current Office Action. The Examiner is respectfully requested to consider the references cited therein, and return an Examiner-initialed PTO-1449 Form to Applicants' representative with the next correspondence.

New claim 23 has been added to the application. Support for this claim can be found on page 6, lines 6-17 of Applicants' specification. Therefore, no new matter has been added to the application.

The patentability of the present invention over the disclosure of the reference relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

The rejection of claims 16-22 under 35 U.S.C. § 103(a) as being unpatentable over Naito et al. is respectfully traversed.

The Examiner has taken the position that limiting the solution in claims 16 and 21 to consist of the compound of formula (1), a catalyst and a solvent does not overcome the rejection.

Initially, the Examiner indicates that Applicants' claim 16 recites a composition "consisting of" the compound of formula (1), a catalyst, and optionally water. However, this assertion is incorrect, as claim 16 clearly recites a solution consisting of a solvent, a compound represented for formula (1) and a catalyst. Thus, Applicants' recited solution requires a solvent as an essential element.

However, Naito et al. describe and claim a solvent-free composition. In fact, in column 1, lines 38-40, the reference states, "it has been eagerly desired to develop solvent-free coating compositions." Thus, Naito et al. clearly fail to teach or suggest Applicants' coating composition consisting of a solvent, a compound of formula (1) and a curing catalyst. Please see column 1, lines 20-44 of the reference.

The Examiner also states that a full reading of Naito et al. shows that the crosslinking agent can be an organometallic compound that functions both as a crosslinking agent and the catalyst. Therefore, the Examiner asserts that the composition

of Naito et al. can contain only the methylmethoxypolysiloxane of formula (1) and a catalyst as recited in Applicants' claims.

However, although the Examiner asserts that the composition of Naito et al. can contain only the organopolysiloxane and a catalyst, a review of the reference does not support this assertion. Column 14, lines 9-15 of the reference state, "... the cross-linking agent (B) of organometallic compound... functions both as a cross-linking agent and as a curing catalyst. Therefore, selection of the cross-linking agent (B) must be made in full consideration of the kind and amount of the curing catalyst (C) to be described hereinafter." Further, column 21, lines 12-15 state, "[p]articularly when an aluminum-, boron-, titanium- or zirconium-containing organometallic compound is used as the cross-linking agent (B), the amount of the curing catalyst (c) may be minimized." Thus, although the reference teaches that the amount of catalyst (C) may be minimized, it does not teach the elimination of component (C), as asserted by the Examiner. Please also see column 15, lines 29-33 and column 19, lines 57-66 of the reference.

Therefore, even if the cross-linking agent of Naito et al. can act as a catalyst, the composition of Naito et al. requires an additional component (catalyst (C)), which is outside the scope of Applicants' composition. Applicants' use of "consisting of" language excludes any additional components, other than a solvent, a compound of formula (1) and a catalyst.

Additionally, the Examiner states that "tetrabutyltitanate meets the limitations of claims 19 and 20". However, this assertion is incorrect, because claims 19 and 20 recite "tetrabutoxy titanate", which is distinct from "tetrabutyltitanate". The Examiner also states that page 21 of Applicants' specification teaches tetrabutyl titante. However, similar to the previous discussion, page 21 of Applicants' specification actually discloses tetrabutoxy titanate". Thus, the Examiner's position regarding claims 19 and 20 is unfounded.

For these reasons, the invention of Applicants' claims is clearly patentable over Naito et al.

Therefore, in view of the foregoing amendments and remarks, it is submitted that the ground of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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